

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

v.

\$67,000.00 IN UNITED STATES
CURRENCY

Defendant In Rem.

NO.

COMPLAINT FOR FORFEITURE

Plaintiff, the United States of America files this verified complaint *in rem* against the defendant property, and states:

JURISDICTION AND VENUE

1. This court has subject matter jurisdiction of this cause of action *in rem* pursuant to 28 U.S.C. §§ 1345 and 1355(a). Venue is proper under 28 U.S.C. § 1355(b)(1) and 28 U.S.C. § 1395(b).

2. The statutory basis for this suit is 18 U.S.C. § 981(a)(1)(A), 18 U.S.C. § 981(a)(1)(C) and 21 U.S.C. § 881(a)(6). Also applicable are 28 U.S.C. §§ 2461 and 2465, 18 U.S.C. § 983, and 28 U.S.C. Rule G, Supplemental Rules for Admiralty and Maritime Claims and Asset Forfeiture Actions (Supplemental Rules).

THE DEFENDANT PROPERTY AND ITS LOCATION

3. The defendant property is comprised of \$67,000.00 in United States Currency seized on or about February 3, 2021, by the Drug Enforcement Administration.

4. The defendant property is currently in the custody and management of the United States Marshal's Service in the Northern District of Texas.

POTENTIAL CLAIMANTS TO THE DEFENDANT PROPERTY

5. This action *in rem* is filed in the United States District Court, pursuant to the provisions of 18 U.S.C. § 983(a)(3)(A), because a verified claim to the defendant property was submitted to the Drug Enforcement Administration on May 5, 2021, by or on behalf of the following individual(s):

Willando Clark
c/o John Garland
3151 Maple Drive
Atlanta, Georgia 30305

FACTS AND BASIS FOR FORFEITURE

6. The defendant property is subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(A) because the property was involved in, or traceable to property involved in money laundering, or a conspiracy to do so, in violation of 18 U.S.C. § 1956 and/or 18 U.S.C. § 1957.

7. The defendant property is also subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C) because the property was proceeds traceable to racketeering, in violation of 18 U.S.C. § 1953.

8. The defendant property is also subject to forfeiture pursuant to 21 U.S.C. § 881(a)(6) because it represents money furnished or intended to be furnished in exchange for a controlled substance, proceeds traceable to such an exchange, or money used or intended to be used to facilitate any violation of Title 21.

9. On February 3, 2021, Willando Clark (“Clark”) was traveling one way from Atlanta, GA to DFW Airport, TX to San Jose, CA on American Airlines. DEA Dallas Airport Interdiction Group received credible information regarding suspicious travel by Clark.

10. Task Force Officer Michael McBride (“McBride”) conducted a criminal history check on Clark which revealed Clark had been arrested for weapons and narcotics offenses.

11. TFO McBride and TFO J. Garcia responded to the airport gate location of Clark’s outbound flight. TFO K. Thompson located Clark’s checked bag as it was unloaded from the arriving Atlanta flight, and K-9 “Duke”, a certified narcotics detention dog, displayed a positive alter to the presence of a narcotic odor on or about Clark’s checked bag.

12. Task Force Officers then approached Clark, identified themselves with their badges and identification, and Clark agreed to speak with the officers. Clark appeared nervous because his voice was shaky, his hands were shaking, and he would not make eye contact.

13. Clark stated that he was going to San Jose for vacation, would be staying a couple of days, and that he was traveling alone. He said he would make a lodging reservation once he arrived in San Jose.

14. Clark had no carry-on bags, but stated he had one checked bag, and Clark confirmed that everything in the checked bag belonged to him, and that he had packed his own bag. When Clark was asked if he was traveling with large amounts of U.S. or

foreign currency, he stated that he had a little bit of money to purchase a truck. TFO McBride asked for consent to search Clark's bag, and Clark gave verbal consent.

15. A search of Clark's bag revealed two large shrink-wrapped bundles of U.S. currency concealed among the clothing items. Inside each bundle were five rubber-banded bundles of U.S. currency for a total of ten rubber-banded bundles of U.S. currency. TFO McBride knows from his experience that narcotics traffickers will often package their narcotics proceeds in similar food saver bags to avoid law enforcement detection.

16. The total U.S. currency was \$67,000.00.

17. Clark responded that he had the currency by saving it over years and that he had been storing it in his safe located at his home. When asked why he was carrying this currency, Clark responded that he was going to purchase multiple semi-trucks in San Jose. Clark admitted that he could not show to the officers any vehicles he intended to purchase. Clark admitted that he had a business checking account, and he did not answer why he did not plan to purchase the vehicles with his business checking account.

18. K9 "Duke" alerted to the presence of an odor of narcotics on or about the U.S. currency in Clark's bag.

19. Clark was in possession of two cellular telephones. When asked whether he had any photographs or text conversations in his phones related to the purchase or sale of narcotics, Clark denied. Clark denied consent to the officers for them to look through the telephones.

20. Tarrant County Judge George Gallagher signed a search warrant for the two telephones. Pursuant to the warrant, a forensic download was conducted. Law enforcement was only able to access data from one of the telephones.

21. In the cellular telephone with accessible data, there are numerous photographs of marijuana. One photograph, dated 1/22/2021, showed a compressed rectangular shaped brick of marijuana on a digital scale that showed a weight of 15.5 ounces. TFO McBride knows from his experience that packages of marijuana arriving from source locations in California are often vacuum sealed for transportation in this shape and are typically 16 ounces or one pound in weight.

22. The 1/22/2021 photograph was sent to a contact saved as “White Wayne”. There are messages between Clark and White Wayne indicating that Clark is supplying White Wayne with multiple-pound quantities of marijuana. In a 1/26/2021 transaction, White Wayne and Clark arrange a transaction where White Wayne stated that he has \$5,000 and Clark responded that we will wait until White Wayne has the complete \$8,000.

23. The cellular telephone also included two photographs for FedEx shipping receipts for packages shipped from Chico, California to Georgia. TFO McBride knows from his experience that marijuana traffickers ship marijuana from source states such as California back to their resident states to avoid law enforcement detention.

24. Clark has a criminal history of convictions and/or arrests for obstruction, fleeing officer, multiple sale of marijuana, carrying pistol without a license, loitering for sex, possession with intent to distribute, trafficking illegal drugs, home invasion, cruelty to children, and possession of firearm by felon.

RELIEF SOUGHT

Therefore, the United States requests the following:

- A. That the Clerk of Court issue a warrant for the arrest of the defendant property, pursuant to Rule G(3)(b)(i) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions;
- B. That the United States Marshals Service arrest the defendant property, pursuant to the warrant, as provided by Rule G(3)(c) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions;
- C. That the United States publish notice of the complaint for forfeiture on the website www.forfeiture.gov for at least 30 consecutive days, in accordance with Rule G(4)(a)(iv)(c) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions;
- D. That the United States Marshals Service serve notice, pursuant to Rule G(4)(b) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, on any person reasonably appearing to be a known potential claimant, advising the person of the date of notice; of the deadline for filing a claim; that an answer or motion under Rule 12(b) must be filed no later than 21 days after the filing of the claim; and of the name of the Assistant United States Attorney to be served with the claim and answer;
- E. That the court, after all proceedings are had on this complaint for forfeiture, declare the defendant property forfeited to the United States according to law;

- F. That the court appropriately tax all costs and expenses incurred by the United States in obtaining the forfeiture of the defendant property against any persons or entities who filed a verified claim and answer in this case; and
- G. That the court grant the United States any further relief, at law or in equity, to which it may show itself justly entitled.

Respectfully submitted,

PRERAK SHAH
ACTING UNITED STATES ATTORNEY

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ATTORNEY FOR PLAINTIFF

VERIFICATION OF COMPLAINT

I, Michael A. McBride, am a Task Force Officer for the Drug Enforcement Administration, and I have been assigned to assist in the forfeiture of the defendant property. I have read the foregoing Complaint for Forfeiture and know its contents. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the factual information in the Complaint for Forfeiture is true and correct to the best of my knowledge.

Executed on: August 2nd, 2021

A handwritten signature in blue ink, appearing to read "Michael A. McBride", is written over a dashed horizontal line.

Michael A. McBride
Task Force Officer
Drug Enforcement Administration